

## REMARKS

Claim 11-13 were pending.

Claim 11 is amended.

Claim 12 is cancelled.

Claims 11 and 13 are pending.

### **Amended Claim 11**

Claim 11 is amended to require that the reactants are dissolved in a solvent. Basis for this amendment may be found on page 12, lines 5 to 6.

### **35 USC 102(b)**

Claims 11-13 are rejected under 35 USC 102(b) as being anticipated by Cline, US 3,090,664 when taken with Gulina et al "Fibre Chemisorbents Based on Modified Graft Copolymers of Cellulose and Polycarpoamide" & Kakizawa, US 2008/0145432 (evidentiary support).

Applicants have amended claim 11 to require that the reactants are dissolved in solution. Cline teaches the reaction of a "shaped structure" which is meant any form which is solid at room temperature. Thus, the form may be a fiber, film or pellicle. It may be a woven, knitted or felted fabric, a paper, a bristle or artificial straw. See col. 3, lines 10-15.

All examples show the reaction of a shaped structure such as a fabric or fiber. There is no suggestion to dissolve the fabric or fiber in Cline and to react with a monomer and type II photo initiator. Thus Cline does not anticipate.

Furthermore, Examiner states in regard to Cline et al that the presence of both hydrophilic and hydrophobic moieties result in the polymer inherently being a surfactant.

However, the examiner provides no particular basis for this assertion. In fact, one skilled in the art and present inventor, Michael Singh, has confirmed that the thermal polymerization of a hydrophobic

species and hydrophilic species may not result in a polymer having surfactant properties. See present example 3, wherein Castor oil and vinylpyrrolidinone are thermally polymerized. The formed product has no surfactant properties.

Cline is not concerned with the making of polymeric surfactants at all. There is nothing in Cline which would lead one to make such a combination. And finally, there is nothing in Cline which would direct one skilled in the art to prepare a polymeric surfactant in a system wherein all the reactants are dissolved.

**Claims 11-13 are rejected under 35 USC 102(b) as being anticipated by Hartmann, US 5,753, 759**

The examiner believes Hartman to teach forming a graft polymer for use as a dispersant, comprising free radical polymerization of monoethylenically unsaturated monomers in the presence of polymers wherein the composition may contain a UV initiator such as a triplet sensitizer (Type II photoinitiator) and copolymerization is carried out by the action of ultraviolet radiation.

Hartmann refers to a triplet sensitizer in col. 6, line 56, such as benzyl diketal. The applicant respectfully points out that the triple sensitizer benzyl diketal is a type I photoinitiator, not a type II photoinitiator. Hartmann makes no reference at all in the entire disclosure to any type II photoinitiators.

The differences between the two types of initiators are well known by the art skilled. Type I photoinitiators are defined to essentially undergo a unimolecular bond cleavage reaction upon irradiation thereby yielding free radicals. Suitable type I photoinitiators are selected from a group consisting of benzoin ethers, benzil ketals, .alpha.-dialkoxy-acetophenones, .alpha.-hydroxyalkylphenones and acyl-phosphine oxides.

Type II photoinitiators are defined clearly in the present disclosure to essentially undergo a bimolecular reaction where the photoinitiators photoreact with a so-called co initiator or substrate to form a radical when exposed to a suitable actinic radiation. These include benzophenone, diaryl ketones, xanthenes, thioxanthenes, acridones, etc. See page 9, lines 21-26.

As Hartmann makes no reference to type II photoinitiators and the present claims require a type II photoinitiator, there is no anticipation by Hartmann.

Reconsideration and withdrawal of the rejection of claims 11 and 13 is respectfully solicited in light of the remarks and amendments *supra*.

Since there are no other grounds of objection or rejection, passage of this application to issue with claims 11 and 13 is earnestly solicited.

Applicants submit that the present application is in condition for allowance. In the event that minor amendments will further prosecution, Applicants request that the examiner contact the undersigned representative.

Respectfully submitted,

A handwritten signature in cursive script, reading "Shiela A. Loggins".

Shiela A. Loggins  
Agent for Applicants  
Reg. No. 56,221

Ciba Specialty Chemicals Corporation  
540 White Plains Road  
Tarrytown, New York 10591  
(914) 785-2768  
SAL\22346R2.doc